

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

***In Re: Ethicon Inc., Pelvic Repair System Products Liability Litigation***

***MDL No. 2327***

Civil Action No. 2:14-07576

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**SHORT FORM COMPLAINT**

Come now the Plaintiff(s) named below, and for Complaint against the Defendants named below, incorporate The Master Complaint in MDL No. 2327 by reference. Plaintiff(s) further show the court as follows:

1. Female Plaintiff

Debra Elaine Betts

2. Plaintiff Spouse (if applicable):

\_\_\_\_\_

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator)

\_\_\_\_\_

4. State of Residence

Texas

5. District Court and Division in which venue would be proper absent direct filing

USDC, Texas Southern District Court, Houston

6. Defendants (Check Defendants against whom Complaint is made):

(X) A. Ethicon, Inc.

( ) B. Ethicon, LLC

(X) C. Johnson & Johnson

- ☐ D. American Medical Systems, Inc. ("AMS")
- ☐ E. Boston Scientific Corporation
- ☐ F. C. R. Bard, Inc. ("Bard")
- ☐ G. Sofradim Production SAS ("Sofradim")
- ☐ H. Tissue Science Laboratories Limited ("TSL")
- ☐ I. Mentor Worldwide LLC
- ☐ J. Coloplast Corp.

7. Basis of Jurisdiction

- ☒ Diversity of Citizenship
- ☐ Other: \_\_\_\_\_

A. Paragraphs in Master Complaint upon which venue and jurisdiction lie:

¶¶9-11 \_\_\_\_\_

B. Other allegations of jurisdiction and venue

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8. Defendants' products implanted in Plaintiff (Check products implanted in Plaintiff)

- ☐ Prolift
- ☐ Prolift +M
- ☐ Gynemesh/Gynemesh PS
- ☐ Prosima
- ☒ TVT
- ☐ TVT-Obturator (TVT-O)
- ☐ TVT-SECUR (TVT-S)

- ☐ TVT-Exact
- ☐ TVT-Abbrevio
- ☐ Other

9. Defendants' Products about which Plaintiff is making a claim. (Check applicable products)

- ☐ Prolift
- ☐ Prolift +M
- ☐ Gynemesh/Gynemesh PS
- ☐ Prosima
- ☒ TVT
- ☐ TVT-Obturator (TVT-O)
- ☐ TVT-SECUR (TVT-S)
- ☐ TVT-Exact
- ☐ TVT-Abbrevio
- ☐ Other

10. Date of Implantation as to Each Product

9/3/2003

11. Hospital(s) where Plaintiff was implanted (including City and State)

Memorial Hermann Hospital (Houston, Texas)

12. Implanting Surgeon(s)

Melvin A. Anhalt, M.D.

13. Counts in the Master Complaint brought by Plaintiff(s)

☒ Count I - Negligence

☒ Count II – Strict Liability – Manufacturing Defect

☒ Count III – Strict Liability – Failure to Warn

☒ Count IV – Strict Liability – Defective Product

☒ Count V – Strict Liability – Design Defect

☒ Count VI – Common Law Fraud

☒ Count VII – Fraudulent Concealment

☒ Count VIII – Constructive Fraud

☒ Count IX – Negligent Misrepresentation

☒ Count X – Negligent Infliction of Emotional Distress

☒ Count XI – Breach of Express Warranty

☒ Count XII – Breach of Implied Warranty

☒ Count XIII – Violation of Consumer Protection Laws

☒ Count XIV – Gross Negligence

☒ Count XV – Unjust Enrichment

☐ Count XVI – Loss of Consortium

☒ Count XVII – Punitive Damages

☒ Count XVIII – Discovery Rule and Tolling

☐ Other Count \_\_\_\_\_ If Plaintiff asserts additional claims, please state

the factual and legal basis for these claims below:

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Dated this 3rd day of June, 2013.

/s/ Douglass A. Kreis  
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